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9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 LILIA JARRELL, individually,
12
13 Plaintiff,

14 vs.

15 WAL-MART STORES, INC.; WALMART
INC. d/b/a WALMART #2593; DOES 1
16 through 100 and ROE CORPORATIONS 1
through 100, inclusive,

17 Defendants.
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Case No.: 2:18-cv-01219-APG-VCF

**STIPULATION AND ORDER TO
CONTINUE TRIAL (SECOND
REQUEST)**

19 Plaintiff LILIA JARRELL (“Plaintiff”), by and through her attorneys of record, FARHAN
20 R. NAQVI and PAUL G. ALBRIGHT of the law firm NAQVI INJURY LAW, and Defendants
21 WAL-MART STORES, INC.; WALMART INC. d/b/a WALMART #2593 (hereinafter
22 collectively referred to as “Defendant Walmart”), by and through their attorneys of record,
23 ROBERT K. PHILLIPS and TIMOTHY D. KUHLs of the law firm PHILLIPS, SPALLAS &
24 ANGSTADT, LLC, submit this **STIPULATION AND ORDER TO CONTINUE TRIAL**
25 **(SECOND REQUEST)** pursuant to LR 26-3 for the Court’s consideration.
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1 The parties are requesting a brief 120 day continuance of the trial date and associated
2 deadlines in this matter, so that this Court may hear and decide Defendant Walmart's pending
3 motion to exclude [ECF 45, 48, 51], which will bring some clarity as to what damages Plaintiff
4 will be pursuing at trial, thereby allowing the parties to re-evaluate their settlement positions and
5 continue working towards possible resolution. Furthermore, the outcome of Defendant Walmart's
6 pending motion will materially impact the parties trial strategy, and the motions in limine the
7 parties may need to file in this case. However, with motions in limine currently due by February
8 19, 2021, there is not sufficient time for this Court to decide the pending motion while leaving
9 counsel with an adequate opportunity to meet and confer on motions in limine, before drafting
10 and filing the same.

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13 Judicial economy and efficiency favor a brief continuance of the trial in this matter, so
14 that this Court has enough time to decide Defendant Walmart's pending motion, bringing clarity
15 to Plaintiff's damages claims and providing the parties with the opportunity to continue pursuing
16 settlement discussions that could avoid the need for this matter to consume the Court's valuable
17 time and resources, both before trial and with the trial itself, which is anticipated to take 10-14
18 full judicial days to complete. Similarly, granting this brief continuance will allow the parties to
19 more efficiently narrow the issues for trial and effectively confer regarding the motions in limine
20 this Court will be required to spend the time hearing and deciding. Moreover, granting this
21 Stipulation will open the door for another unresolvable case in the crowded trial stack to proceed
22 to trial in a more timely manner. Lastly, in the event the parties are unable to resolve this matter,
23 they will require some time to determine the availability and travel capabilities of various
24 witnesses and experts that reside out of state.
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The current trial date is April 19, 2021 with the Calendar Call on April 13, 2021 at 8:45 a.m. The parties respectfully request that the trial in this matter be continued to August 16, 2021, or as soon thereafter as this matter may be heard, so as to allow the Court to decide Defendant Walmart's pending motion and allow the parties an adequate opportunity to further pursue resolution, as detailed above. The parties likewise request a continuance of all other deadlines associated with trial in accordance with the new trial date, including the deadline for filing motions in limine. This Stipulation to Continue Trial is made in good faith and not for purposes of delay.

DATED this 10th of February, 2021.

DATED this 10th of February, 2021.

NAQVI INJURY LAW

/s/ Paul G. Albright

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Attorneys for Defendants

ORDER

The April 19, 2021 trial date is vacated and continued to August 23, 2021, at 9:00 a.m. in LV Courtroom 6C. The April 13, 2021 calendar call is vacated and continued to August 17, 2021, at 8:45 a.m. in LV Courtroom 6C.

IT IS SO ORDERED:


UNITED STATES DISTRICT JUDGE

DATED: February 11, 2021